

OFGS File No.: P/365-345(PCT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Alexander T. FLORENCE, et al.

Serial No.: 09/786,091

Filed: February 28, 2001

Date: April 26, 2001

Group Art Unit: --

Examiner: --

For: CATIONIC COMPOUNDS AND THEIR USE AS MACRO MOLECULAR CARRIERS

Asst. Commissioner for Patents
Box PCT
Washington, DC 20231

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS
UNDER 35 U.S.C. 371 IN THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US) and
NOTIFICATION OF DEFECTIVE OATH OR DECLARATION

Sir:

In response to the Notification of Missing Requirements under 35 U.S.C. § 371 in the United States Designated/Elected Office (DO/EO/US), mailed April 3, 2001, we have previously submitted the Inventors' Declaration (copy enclosed) and paid the required fees on March 23, 2001 as evidenced by the attached copy of a postcard stamped by the U.S. Patent and Trademark Office.

In the event the actual fee is greater than the payment submitted or is inadvertently not enclosed or if any additional fee during the prosecution of this application is not paid, the Patent Office is authorized to charge the underpayment to Deposit Account #15-0700.

If this communication is filed after the time period had elapsed and no separate Petition is enclosed, the Commissioner of Patents and Trademarks is petitioned, under 37 C.F.R. §1.136(a), to extend the time for filing a response by the number of months which will avoid abandonment

under 37 C.F.R. § 1.135. The fee under 37 C.F.R. § 1.17 should be charged to our Deposit Account No. 15-0700.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Hon. Commissioner of Patents & Trademarks, Box PCT (US/DO/EO), Washington, D.C. 20231, on April 26, 2001:

Edward A. Meilman

Name of applicant, assignee or
Registered Representative

Edward A. Meilman

Signature

April 26, 2001

Date of Signature

EAM:mgs
Enclosures

Respectfully submitted,

Edward A. Meilman

Edward A. Meilman

Registration No.: 24,735

OSTROLENK, FABER, GERB & SOFFEN

1180 Avenue of the Americas

New York, New York 10036-8403

Telephone: (212) 382-0700

09/786091

Box PCT
Washington, D.C. 20231

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/786,091	FLORENCE	P/365-345
OSTROLENK FAJER GERB & SOFFEN 1180 AVENUE OF THE AMERICAS NEW YORK NY 10036-8403		
INTERNATIONAL APPLICATION NO.		
PCT/GB99/03189		
I.A. FILING DATE		PRIORITY DATE
09/23/99		09/23/98
DATE MAILED: 04/03/01		

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as
- ☐ a Designated Office (37 CFR 1.494),
☒ an Elected Office (37 CFR 1.495):
- ☒ U.S. Basic National Fee.
☒ Copy of the international application in:
☐ a non-English language.
☒ English.
- ☐ Translation of the international application into English.
☐ Oath or Declaration of inventors(s) for DO/EO/US.
☐ Copy of Article 19 amendments.
☐ Translation of Article 19 amendments into English.
☒ The International Preliminary Examination Report in English and its Annexes, if any.
☐ Translation of Annexes to the International Preliminary Examination Report into English.
☐ Preliminary amendment(s) filed _____ and _____
☐ Information Disclosure Statement(s) filed _____ and _____
☐ Assignment document.
☐ Power of Attorney and/or Change of Address.
☐ Substitute specification filed _____
☐ Statement Claiming Small Entity Status.
☒ Priority Document. ②
☒ Copy of the International Search Report and copies of the references cited therein.
☒ Other: *extra drawings, Sequence listing*
2. The following items MUST be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
- ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
- ☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date.
☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
- ☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).
3. Additional claim fees of \$ _____ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☒ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes MUST be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.
5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice MUST be returned with this response.

Enclosed: ☐ PCT/DO/EO/917 ☐ Notice of Defective Translation
☐ PTO-875 ☒ 920

FORM PCT/DO/EO/905 (December 1997)

Telephone: (703)

Keya Baltimore
National Stage Process
7631 305-3035

3 MAY 2001	
PATENTS ORDERED	

APR 6 2001

Serial No. 091786, 091 Filing Date 9/23/99 OFGS File No. P/365-345
Title CATIONIC COMPOUNDS AND THEIR USE AS MACRO MOLECULAR
First Inventor Alexander T. Florentine, et al. Date 3/23/01
The PTO has received: Last Due Date: 3/31/01

- ☐ Patent Application of _____
Pages (including claims & abstract)
☒ Declaration or ☐ Designation Sheet
☐ Drawings _____ Sheet(s)/Figs. _____ to _____
☐ Priority Document
☐ Small Entity Declaration
☒ Assignment & Conveyance Cover Sheet
☐ Information Disclosure Statement
☐ PTO-1449
☐ Amendment
☐ Affidavit or Declaration

- ☐ TM Application ☐ ITU Basis
☐ Statement of Use
☐ Extension of Time
☐ Notice of Appeal
☐ Brief
☐ Petition
☐ Status Request
☐ Issue Fee
☒ Certificate of Mailing
☒ Express Mail No. EL075475/55US

PTO STAMP

☒ Check No. 003891 for \$ 170
Atty/Secy WGB/MC

JG14 Rec'd PCT/PTO 23 MAR 2001

FORM PTO-1390
(REV. 10-2000)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

09/786091
P/365-345TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

09/786,091

INTERNATIONAL APPLICATION NO.

PCT/GB99/03189

INTERNATIONAL FILING DATE

September 23, 1999

PRIORITY DATE CLAIMED

23.9.98 and 10.9.99

TITLE OF INVENTION

CATIONIC COMPOUNDS AND THEIR USE AS MACRO MOLECULAR CARRIERS

APPLICANT(S) FOR DO/EO/US

Alexander T. FLORENCE, et al

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to promptly begin national examination procedures (35 U.S.C. 371(f)).
4. ☐ The US has been elected by the expiration of 19 months from the priority date (PCT Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 16 below concern document(s) or information included:

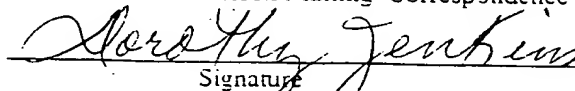
11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A **FIRST** preliminary amendment.
☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☐ Other items or information:

EXPRESS MAIL CERTIFICATE

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail Post Office to Addressee (mail label)
EL075475155US in an envelope addressed to:
 Asst. Commissioner for Patents, Washington, D.C. 20231,
 on March 23, 2001

Dorothy Jenkins

Name of Person Mailing Correspondence



Signature

March 23, 2001

Date of Signature

EL075475155US

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

09/786,091

INTERNATIONAL APPLICATION NO.

PCT/GB99/03189

ATTORNEY'S DOCKET NUMBER

P/365-345

17. ☒ The following fees are submitted:

BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)):

Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1000.00

International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$860.00

International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$710.00

International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$690.00

International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00

ENTER APPROPRIATE BASIC FEE AMOUNT =

CALCULATIONS PTO USE ONLY

Surcharge of \$130.00 for furnishing the oath or declaration later than ☐ 20 ☒ 30 months from the earliest claimed priority date (37 CFR 1.492(e)).

\$ 130.00

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total claims	- 20 =		X \$18.00	\$
Independent claims	- 3 =		X \$80.00	\$
MULTIPLE DEPENDENT CLAIM(S) (if applicable):			- \$270.00	\$

TOTAL OF ABOVE CALCULATIONS =

☐ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.

SUBTOTAL =

Processing fee of \$130.00 for furnishing the English translation later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492(f)).

TOTAL NATIONAL FEE =

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property.

TOTAL FEES ENCLOSED = \$170.00

Amount to be refunded:	\$
charged:	\$

a. ☒ A check in the amount of \$ 170.00 to cover the above fees is enclosed. Check No. 003891b. ☐ Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 15-0700. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

OSTROLENK, FABER, GERB & SOFFEN, LLP
1180 Avenue of the Americas
New York, NY 10036-8403

Tel: (212) 382 0700

SIGNATURE:

Louis C. Dujmich

NAME

30,625

REGISTRATION NUMBER